

MACOMB TOWNSHIP BOARD OF TRUSTEES
MEETING MINUTES AND PUBLIC HEARING
WEDNESDAY, AUGUST 14, 2013

LOCATION: MACOMB TOWNSHIP MEETING CHAMBERS
54111 BROUGHTON ROAD
MACOMB, MI 48042

PRESENT: JANET DUNN, SUPERVISOR
MICHAEL D. KOEHS, CLERK
KAREN GOODHUE, TREASURER
DINO F. BUCCI, JR, TRUSTEE
CLIFFORD W. FREITAS, TRUSTEE
ROGER KRZEMINSKI, TRUSTEE
NANCY NEVERS, TRUSTEE

ABSENT: NONE

ALSO PRESENT: Lawrence M. Scott, Legal Counsel
James VanTiflin, Township Engineer Director
(Additional attendance on file at the Clerk's Office)

Supervisor DUNN called the meeting to order at 7:00 p.m. and the Pledge of Allegiance was recited.

ROLL CALL

1. Clerk KOEHS called the roll and the Board of Trustees was present.

APPROVAL OF THE AGENDA

2. The agenda was reviewed and item 9 was moved to the Executive Session, and items 5-E-1 was added to the Consent Agenda, 11-A, 11-B were added under New Business, 13-A was added to the Clerks Comments, and 22 and 23 were added to the Executive Session.

MOTION by BUCCI seconded by NEVERS to approve the agenda as amended.

MOTION carried.

APPROVAL OF THE BILLS

3. Both bill runs were reviewed and there were no additions, deletions or corrections.

MOTION by KRZEMINSKI seconded by FREITAS to approve both bill runs as presented.

MOTION carried.

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APPROVAL OF THE PREVIOUS MEETING MINUTES

4. The minutes of the previous meeting held on, July 24, 2013 were reviewed and any additions, corrections or deletions were discussed and made.

MOTION by GOODHUE seconded by NEVERS to approve the minutes of the meeting of, July 24, 2013 as presented.

MOTION carried.

5. **Consent Agenda Items:**

A. Water and Sewer Department:

1. Request for Bond Release; Florence Cement; Lake Arrowhead Subdivision Concrete Batch Plant.
2. Easement Encroachment: Lot 10, Villagio Subdivision Sidwell # 08-06-279-010.
3. Request Authorization to Pay Kennedy Industries Inc. for Replacement Pump at Station 11.
4. Request to Attend Cross Connection Control Training

B. Fire Department:

1. Request to attend Free Hazardous Materials Training.

C. Assessing Department:

1. Request Authorization to Attend MAA Assessors Continuing Education Program.

D. Human Resources Department:

1. Request for Personal Leave of Absence-Fire Department.
2. Request Authorization to Advance Employee #1622.
3. Human Resources Training Request.

E. Planning Department

1. Site Bond Release for Macomb Orthodontics.

Supervisor DUNN reviewed this matter and asked if any of the Board members wanted to remove any item from the Consent Agenda and place it for discussion on the regular agenda.

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MOTION by BUCCI seconded by FREITAS to approve the Consent Agenda as earlier amended.

MOTION carried.

6. Public Comments, Agenda Items Only

NONE.

OLD BUSINESS

7. Request Authorization to Prepare Plans and Specifications for 21 Mile Road Improvements. (*tabled from July 24, 2013*)

Jim Van Tiflin, Township Engineer spoke regarding several 21 Mile Road projects. The first would be at 21 Mile Road in front of the Fire Station # 2, between Romeo Plank Road and Garfield Road the vacant Township property on the south side to continue the sidewalk at the cost of One Hundred Thirty-Eight Thousand Seven Hundred Seventy-One Dollars (\$138,771.00). Mr. Van Tiflin also requested approval to install a Bypass Lane in front of Fire Station #2 for West bound traffic in the amount of One Hundred Twenty-Six Thousand Dollars (\$126,000.00). Mr. Van Tiflin stated he had talked to Macomb County and they would participate in the installation of the Bypass Lane and would contribute 40% of the cost and would handle the engineering design.

MOTION by KRZEMENSKI seconded by FREITAS to authorize AEW to prepare plans and specifications for the 21 Mile Road Improvements.

MOTION carried.

NEW BUSINESS

8. Request Authorization to Purchase B. S. & A. Software.

Treasurer Goodhue spoke regarding the B. S. & A. Software and made two motions.

Treasurer Goodhue's first request was to upgrade to the Dot Net Version of the B. S. & A. Software for the Taxes, Assessing Department and Building Department. The Installation cost would be Seventy-Three Thousand One Hundred Dollars (\$73,100.00).


MOTION by GOODHUE seconded by KRZEMINSKI to purchase the B. S. & A. Software Dot Net upgrade for the Treasury, Assessing and Building Departments as requested.

MOTION carried.

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Treasurer Goodhue's second request was to purchase the B. S. & A. software for Utility Billing, Financials and for Human Resources in the amount of Three Hundred Fifty-Four Thousand Five Hundred and Five Dollars (\$354,505.00).

Motion failed for lack of support to purchase the B. S. & A. Software for Utility Billing, Financials and for Human Resources.

9.  Request to Prepare Plans and Specifications for Twin Rivers Access Road from Hall Road.

(Moved to Executive Session and Tabled to the meeting of August 28, 2013)

10. Request to Schedule a Public Hearing Date for a Street Lighting Special Assessment District; Lake Arrowhead Phase II.

MOTION by KOEHS seconded by KRZEMINSKI to Set a Public Hearing Date of August 28, 2013 for the Street Lighting Special Assessment District for Lake Arrowhead Site Condominiums – Phase II.

MOTION carried.

11. Request to Schedule a Public Hearing Date for an Industrial Facilities Tax Exemption Certificate; Triumph Gear.

MOTION by KOEHS seconded by KRZEMINSKI to Schedule a Public Hearing date of August 28, 2013 for the Industrial Facilities Tax Exemption Certificate for Triumph Gear.

MOTION carried.

- 11 A. Review of the Smart Contract (Dial-A-Ride).

Salvatore DiCaro, Parks & Recreation Director spoke regarding a contract submitted by Smart, it is a proposal to take over the Township's Dial-A-Ride Program.

Mr. Barbarett from Smart was in attendance to explain and answer any question the Township Board Members may have.

Supervisor Dunn stated the Township Attorney had reviewed and approved the contract with Smart.

MOTION by BUCCI seconded by KOEHS to authorize the Supervisor to sign the agreement with Smart Bus System.

MOTION carried.

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11 B. Review of the Consultant agreement for Planner.

Supervisor Dunn spoke regarding the contract from Community Planner and Management to serve as the Township's Planning Consultant. Supervisor Dunn stated the agreement was drafted by the Township Legal Counsel.

Mr. Lawrence Scott, Township Attorney stated the contract was reviewed by the Board Members and Mr. Patrick Meagher and all corrections changes were made and reviewed.

MOTION by KOEHS seconded by FREITAS to authorize the Supervisor to sign the agreement with Community Planning & Management.

MOTION carried.

Public Comments, Non-Agenda Items Only - (3 minute time limit)

None.

BOARD COMMENTS

12. Supervisor Comments

Supervisor Janet I. Dunn spoke regarding Waste Management's Hazardous Waste Day. Supervisor Dunn stated that on September 14, 2013 from 9:00 a.m. to 1:00 p.m. residents can bring their hazardous household materials to the Senior Center for disposal.

13. Clerk Comments

Clerk Koebs informed the Board of the accomplishments of Boy Scout Christopher R. Irwin. Some of Scout Irwin's accomplishments include receiving 26 Merit Badges and holding several leadership positions in the troop. Scout Irwin has completed all the requirements to become an Eagle Scout. Scout Irwin's Code of Honor will be on Sunday, August 18, 2013. Clerk Koebs mentioned the Resolution request to declare August 18, 2013 as Christopher R. Irwin day in Macomb Township.

MOTION by KOEHS seconded by BUCCI to adopt a Resolution to Declare August 18, 2013 as Christopher R. Irwin day in Macomb Township.

Resolution Honoring
Eagle Scout ***Christopher R. Irwin***

At a regularly scheduled meeting of the Board of Trustees of the Township of Macomb, County of Macomb, State of Michigan held in the Township Hall in said township on the 14th day of August, 2013 at 7:00 PM the following preamble and resolution were offered by member KOEHS and supported by member FREITAS:

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Whereas, Christopher R. Irwin *started his scouting career with Pack 382 during which time he received his Arrow of Light; and,*

Whereas, Christopher R. Irwin *continued his scouting career with Boy Scout Troop 349 where he has distinguished himself by earning twenty-six Merit Badges and,*

Whereas, Christopher R. Irwin *has earned numerous awards and served as Patrol Leader, Den Chief and Chaplin's Aide and,*

Whereas, Christopher R. Irwin *is a student at Lutheran High School North where he is a member of the Senior Class and by his own actions, achievements and high moral standards has made himself a role model to his peers,*

Now Therefore Be It Resolved, *by the Board of Trustees of the Township of Macomb, County of Macomb, Michigan speaking on behalf of all Macomb Township Citizens as follows:*

That By These Presents, *the Macomb Township Board of Trustees recognizes the dedication, commitment and personal sacrifices Christopher R. Irwin has made to obtain the rank of Eagle Scout; and,*

Be It Further Resolved, *that the Macomb Township Board of Trustees hereby commends and publicly extends its congratulations to Christopher R. Irwin on his elevation to Eagle Scout and further extends its best wishes to Christopher in his future endeavors;*

Now Therefore, *the Macomb Township Board of Trustees hereby proclaims,*

Sunday, August 18, 2013
Christopher R. Irwin Day
In Macomb Township

YEAS: KOEHS, FREITAS, NEVERS, KRZEMINSKI. BUCCI, GOODHUE, DUNN

NAYS: NONE

ABSENT: NONE

MOTION carried, resolution declared adopted.

14. Treasurer Comments

NONE

15. Trustees Comments

NONE

MOTION by BUCCI seconded NEVERS by to adjourn to Executive Session at 7:43 p.m.

MOTION carried.

The Board returned to regular session at 8:18 p.m.

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EXECUTIVE SESSION

16. Proposed Settlement of 2011 through 2013 MI Tax Tribunal Appeal; Parcel No. 08-20-200-034. Docket No. 425653.

MOTION by KOEHS seconded by FREITAS to authorize Legal Counsel to sign the Consent Judgment.

MOTION carried

17. Proposed Settlement of 2011 through 2013 MI Tax Tribunal Appeal; Parcel No. 08-36-429-001. Docket No. 425655.

MOTION by KOEHS seconded by FREITAS to authorize Legal Counsel to sign the consent judgment.

MOTION carried

18. Proposed Settlement of 2011 through 2013 MI Tax Tribunal Appeal; Parcel No. 08-36-100-009. Docket No. 425654.

MOTION by KOEHS seconded by FREITAS to authorize Legal Counsel to sign the consent judgment.

MOTION carried

19. Proposed Settlement of 2012 through 2013 MI Tax Tribunal Appeal; Parcel No. 08-18-326-013. Docket No. 435819.

MOTION by KOEHS seconded by FREITAS to authorize Legal Counsel to sign the consent judgment.

MOTION carried.

20. Proposed Settlement of 2012 through 2013 MI Tax Tribunal Appeal; Parcel No. 08-31-100-008. Docket No. 433733.

MOTION by KOEHS seconded by NEVERS to authorize Legal Counsel to sign the consent judgment.

MOTION carried.

21. Macomb Township vs. Twin Rivers Development; Status Update.

MOTION by KOEHS seconded by BUCCI to authorize legal counsel to file the appropriate motions regarding the Twin Rivers litigation.

MOTION carried.

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22. Proposed Settlement; MAFF Grievance.

MOTION by KOEHS seconded by FREITAS to deny the proposed settlement from MAFF.

MOTION carried.

23. Proposed Dismissal of Litigation; M&C vs. Macomb Township.

MOTION by KOEHS seconded by NEVERS to authorize legal counsel to sign the voluntary dismissal of this litigation.

MOTION carried.

ADJOURNMENT

MOTION by BUCCI seconded by FREITAS to adjourn the Board meeting at 8:23 p.m.

MOTION carried.

Respectfully submitted,

Janet I. Dunn
Macomb Township Supervisor

Michael D. Koehs, CPM, CMC
Macomb Township Clerk